

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

SECURITIES AND EXCHANGE §
COMMISSION, §
§
v. § Case No. 6:23-cv-00321-ADA
§
ROY W. HILL, et al., §

DEFENDANT ROY HILL'S UNOPPOSED MOTION FOR THIRD EXTENSION OF TIME TO FILE HIS ANSWER OR OTHERWISE RESPOND TO COMPLAINT

Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), Defendant Roy W. Hill, through his designated counsel, files this Unopposed Motion for Third Extension of Time to File His Answer or Otherwise Respond to the Complaint in the above-captioned action, and respectfully requests that the deadline to file his Answer or otherwise respond be extended to Monday, August 21, 2023. In support of the Motion, Defendant shows as follows:

Introduction

1. On May 3, 2023, the United States Securities and Exchange Commission (“SEC”) filed the Complaint against Defendant under seal. Doc. 1.
2. Defendant was served with the Complaint on May 6, 2023. Doc. 12.
3. Under Federal Rule of Civil Procedure 12(a)(1), Defendant’s original answer was due 21 days later, on May 30, 2023.
4. However, given then the nature of the allegations in the Complaint and procedural issues, Defendant conferred with counsel for the SEC and filed an unopposed motion for extension of his answer date on May 30, 2023. Doc. 31.

5. On May 31, 2023, the Court granted Defendant's motion, and set Defendant's deadline to answer or otherwise respond to the Complaint to July 14, 2023.

6. On July 13, 2023, Defendant filed a second unopposed motion for extension of his answer date. Doc. 33.

7. On July 14, 2023, the Court granted Defendant's motion, and set Defendant's deadline to answer or otherwise respond to the Complaint to August 14, 2023.

8. Defendant respectfully requests a third extension of the deadline to answer or otherwise respond to the Complaint for an additional one week.

9. Counsel for Defendant has conferred with counsel for the SEC regarding this requested extension and the SEC is not opposed to a further extension of only one week. Seven days following August 14, 2023, is Monday, August 21, 2023. Accordingly, Defendant requests that the date to answer or otherwise respond to the Complaint be extended until Monday, August 21, 2023.

10. This Motion is not sought for delay, but rather to allow Defendant to properly evaluate and respond to the allegations set forth in the Complaint.

WHEREFORE, Defendant Roy W. Hill requests that the deadline for Defendant to answer or otherwise respond to the Complaint be extended until August 21, 2023.

Dated: August 11, 2023

Respectfully submitted:

By: /s/ Gene R. Besen
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ATTORNEYS FOR ROY W. HILL

CERTIFICATE OF SERVICE

I certify that on this 11th day of August, 2023, I electronically submitted the foregoing document with the Clerk of the U.S. District Court for the Western District of Texas via the electronic case filing system of the Court, which will send notice of electronic filing to all known filing users.

/s/ Gene R. Besen
Gene R. Besen

CERTIFICATE OF CONFERENCE

I certify that I have conferred with counsel for the Plaintiff regarding the relief sought in this Motion. Plaintiff is unopposed to the Motion.

/s/ Gene R. Besen
Gene R. Besen